

Portland Oregonian

Oregon Poor Vitrally Need Legal Boost

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If you can't get a lawyer, you can't afford to be poor.

Consider this memo on a case handled through El Programa Hispano of St. Henry Catholic Community Hispanic Center in Gresham:

"Eva Cortes-Espino went to Affordable Automobile Wholesale Inc. (AAW) in Southeast Portland on Aug. 7 searching for a car. . . . She asked to see the title, wondering about previous owners and the possibility of past accidents. AAW assured her that the car had never been in an accident and had only one previous owner. Eva was put under . . . pressure to purchase the car immediately. Eva can't read English and a translator was not involved. . . . Eva signed a contract putting down \$1,300 and financing the balance of \$4,500 at a 39.6 percent interest rate.

"Eva immediately had problems with the car. She tried to return (it), but to no avail. Eva's mechanic friend inspected the car and found several large sticks lodged underneath the car to prevent it from rattling. The mechanic determined that the car had been totaled, citing a cracked engine block."

No liability was conceded, but Cortes-Espino got full restitution. The dealer took the car back. The deposit was returned. The buyer was taken off the finance-contract hook. All of this required muscle. It was applied pro bono by attorney Robert Hamrick at the Schwabe Williamson & Wyatt law firm's East County Legal Clinic.

Reflect also on 5-year-old Seth Jackson-Mack's chances to live an ordinary life. This recent Head Start graduate has had a seizure disorder since he was 10 months old. Rules prevented Head Start from administering oxygen, so mother Sonja had to be at the school or nearby with an oxygen pack.

The family's 1999 application for Supplemental Security Income to help with Seth's care was denied. So was its 2001 request. Then Legal Aid in Multnomah County helped with an appeal.

SSI applications require detailed information from treatment and service providers to succeed. Few people get easy, inexpensive access to doctors' records or, in this case, to teachers' evaluations of Seth's speech difficulties.

Legal Aid attorney Leslie Kay provided record-gathering and legal expertise and prepared a case for hearing. On April 26, Seth's family learned that he is eligible for

benefits. In his kindergarten class, he can be given oxygen when he needs it, speech tutoring and other help. Mother Sonja will be able to get qualified care for Seth and take up schooling or part-time work.

Lawyers at Todd Trierweiler & Associates attempt rescue missions in monthly bankruptcy clinics. The firm's support staff helps volunteer non-bankruptcy attorneys to enter data for those lawyers' bankruptcy forms.

Volunteer pro bono and Legal Aid services such as these are vitally needed as poor and moderate-income Oregonians try to stay healthy in a sick economy. Two years ago, only 18 percent of low-income people could get legal help for their problems, a study sponsored by the Oregon State Bar and the state found. The average statewide jobless rate back then was 4.9 percent, lowest in the nation. Almost two percentage points higher now, it's one of the highest. Two years ago fewer than 40,000 people were unemployed in Portland. It's 75,000 now.

Almost 486,000 Oregonians are eligible for free civil legal services. But only 111 of Oregon's 11,000 attorneys work for Legal Aid. Low-income families desperately need more private-sector lawyers to volunteer services (and money) to help full-time Legal Aid professionals lift the load.

More family-law services are essential, especially in child custody and domestic violence cases, the bar study reports. Advocacy help is needed to increase the quantity and quality of housing for low-income people, reduce unlawful discrimination and enforce the residential landlord tenant act in the face of evictions. Cases involving collection of wages, wrongful discharge, discrimination and unsafe working conditions have become conspicuous as Oregonians struggle against a vicious economic undertow.

The urgent thrust of this year's Lawyers' Campaign for Equal Justice, now at full flood, is to have more private lawyers throw lifelines to the poor, elderly, disabled, unemployed and disadvantaged drowning in the legal surf.